

## **MEMORANDUM**

To: Dublin City Council  
Marsha Grigsby, City Manager  
Anne Clarke, Clerk of Council

From: Stephen J. Smith  
Jennifer D. Readler  
Yazan S. Ashrawi

Date: January 9, 2014

Re: RMH Franchise Corporation Application for D5 and D6 Liquor Permits  
(Applebee's)

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### **I. INTRODUCTION**

The City of Dublin recently received a Notice to Legislative Authority ("Notice") from the Ohio Division of Liquor Control concerning RMH Franchise Corporation's ("RMH") transfer application for a class D5 and D6 liquor permit. RMH is DBA Applebee's. Dublin has received this Notice pursuant to R.C. 4303.26 because RMH's proposed location for the permit premises will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permit.

### **II. BACKGROUND**

RMH is a foreign corporation that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6669 Dublin Center Drive, Dublin, Ohio 43017, which is the Applebee's located in the Dublin Village Center off of Sawmill Road, just south of 270. RMH is seeking to obtain a D5 and D6 liquor permit from Thomas & King, Inc. DBA Applebee's ("Thomas & King"), which is also a foreign corporation actively registered with the Ohio Secretary of State. Thomas & King currently holds the liquor permits at the same exact address (6669 Dublin Center Drive). It appears that Thomas & King is a restaurant management company that recently sold its Applebee's franchise operation to RMH. The transfer application for both permits is currently pending before the Ohio Division of Liquor Control ("Division").

According to the Division's records, RMH does not have any history of violating Ohio liquor permit laws. If approved, RMH will inherit the same D5 and D6 liquor permits that are currently held by Thomas & King at the same location.

### **III. RECOMMENDATION**

It would appear that it is unnecessary to request a hearing in this matter. The permits will simply transfer from one restaurant management company to the new management company, which will now operate the Applebee's at the same location. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by January 21, 2014.

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

71474040030			TRFO	RMH FRANCHISE CORPORATION DBA APPLEBEES NEIGHBORHOOD GRILL & BAR 6669 DUBLIN CENTER DR DUBLIN OHIO 43017
PERMIT NUMBER			TYPE	
02	01	2013		
ISSUE DATE				
12	16	2013		
FILING DATE				
D5 D6				
PERMIT CLASSES				
25	066	B	F11072	
TAX DISTRICT			RECEIPT NO.	

FROM 12/18/2013

88200480045				THOMAS & KING INC DBA APPLEBEES 6669 DUBLIN CENTER DR DUBLIN OHIO 43017
PERMIT NUMBER			TYPE	
02	01	2013		
ISSUE DATE				
12	16	2013		
FILING DATE				
D5 D6				
PERMIT CLASSES				
25	066			
TAX DISTRICT			RECEIPT NO.	



MAILED 12/18/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/21/2014

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B TRFO 7147404-0030**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF DUBLIN CITY COUNCIL  
5200 EMERALD PARKWAY  
DUBLIN OHIO 43017

PERMIT NUMBER (CORPORATION) 71474040005  
RMH FRANCHISE CORPORATION  
DBA APPLEBEES NEIGHBORHOOD  
GRILL & BAR  
105 N SPRINGBORO PK HWY 741  
MIAMISBURG OHIO 45342

F.T.I. NUMBER 37-1701807  
STATUS (ACTIVE OR INACTIVE) ACTIVE  
SHARES OUTSTANDING 5000.00  
ACTIVE DATE 12/16/13  
INACTIVE DATE  
EXCEPTION CODE TEXT  
STOCK TRANSFER CODE TEXT AND DATE

JOSEPH M LEONE	.00	12/16/13	ACTIVE	TREASURER
JEFFREY D NEUMANN	.00	12/16/13	ACTIVE	CEO
RMH FRANCHISE HOLDINGS IN	5000.00	12/16/13	ACTIVE	

D8      \$500      ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

#### Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	<u>ORC 4303.141</u> (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

#### Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.) (This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

#### Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

#### Enclosed Shopping Mall

Permit Class	Permit Fee	Description
D5B	\$2,344	<u>ORC 4303.181</u> (Same as D5) for enclosed shopping mall.

## River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	<u>ORC 4303.181</u> (Same as D5). Historical river boat owned by charitable organization only.

## Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> (Same as D5). Marina restaurant only.

## Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). National sports museum only.
D5H	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Fine arts museum only.

## Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> (Same as D5). Community entertainment district.
D5L	\$2,344	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Revitalization District.

## Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

## Other

Permit Class	Permit Fee	Description
D5K	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Certain non profit organizations that own and operate a botanical garden.